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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID GARCIA,

Defendant.

**Case No. 1:22-cr-00308-DAD-BAM**

STIPULATION AND ORDER TO  
CONTINUE SENTENCING

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, ROBERT LAMANUZZI, attorney for Defendant DAVID GARCIA and ARIN HEINZ, Assistant U.S. Attorney for The Government, that the hearing currently scheduled for OCTOBER 6<sup>th</sup>, at 9:30 a.m. shall be continued until DECEMBER 15<sup>th</sup>, at 10:00 a.m.

1. Defendant, David Garcia, is scheduled for sentencing on OCTOBER 6<sup>th</sup>, 2025,
2. On SEPTEMBER 9<sup>th</sup>, 2025, the Ninth Circuit Court of Appeals heard oral argument on *United States. v. Gomez* (Case No. 23-435),
3. The coming decision in *Gomez* may drastically affect the Sentencing Guideline calculation in this case,
4. The Defendant and his Counsel wish to file Formal Objections to the Presentence Report and proceed with sentencing after the *Gomez* decision is made,
5. There is no objection by the Government to the continuance,
6. The parties request a resetting of the PSR deadlines as follows:

- a. Formal Objections due DECEMBER 1<sup>st</sup>, 2025,
- b. Sentencing Memorandums due DECEMBER 8<sup>th</sup>, 2025.

Dated: September 23<sup>rd</sup>, 2025,

Respectfully submitted,

/s/Robert Lamanuzzi  
ROBERT LAMANUZZI  
Attorney for Defendant,  
David Garcia

Dated: September 23<sup>rd</sup>, 2025,

Respectfully submitted,


/s/Arin Heinz  
ARIN HEINZ  
Assistant U.S. Attorney

**ORDER**

The sentencing hearing for the above-named defendant, currently scheduled for October 6<sup>th</sup>, 2025, at 9:30 a.m., is continued until **December 15<sup>th</sup>, 2025, at 10:00 a.m. in Courtroom 5** before District Judge Dale A. Drozd, and the PSR schedule be reset as follows:

1. Formal Objections due December 1<sup>st</sup>, 2025,
2. Sentencing Memorandums due December 8<sup>th</sup>, 2025.

**IT IS SO FOUND AND ORDERED this 23<sup>rd</sup> Day of September, 2025.**

  
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Troy L. Nunley  
Chief United States District Judge